

Application No. 09/474,569
Amendment dated March 28, 2008
Reply to Final Office Action dated January 11, 2008

REMARKS

Applicants respectfully requests further examination and reconsideration in view of the arguments set forth fully below. In the Final Office Action mailed July 27, 2007, claims 1, 4-10, 13, 14, 18-23, 27-32 and 35 have been rejected. In response, the Applicants have submitted the following remarks. Accordingly, claims 1, 4-10, 13, 14, 18-23, 27-32 and 35 are still pending. Favorable reconsideration is respectfully requested in view of the remarks below.

Rejections Under 35 U.S.C. § 103

Within the Office Action, claims 1, 4-10, 13-14, 18-23, 27-32 and 35 been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,260,021 to Wong, et al (hereinafter Wong) in view of U.S. Patent No. 6,556,698 to Diano et al. (hereinafter Diano). The Applicants respectfully disagree with this rejection.

Within the Office Action, it is stated on page 4 that Wong fails to clearly teach “the set of patient context data half to directly generate from PACS and directly send this context data to the RIS.” The Examiner then goes to point out that the Diano reference teaches this feature at column 6, lines 56-60.

The Examiner goes on to clarify that Wong actually fails to clearly teach of automatically generating a set of patient context data for the patient from the retrieved patient image data in the PACS, and a first application configured to send the automatically generated set of patient context data to the second application after the patient image data is retrieved, wherein the second application communicates with the RIS application. The Examiner goes on to cite Diano, Figure 3, column 5, lines 36-63.

The Applicants first agree that Wong does not teach these features of the present application. Furthermore, the Applicants respectfully submit that Diano neither teaches automatically generating a set of patient context data from an image in a PACS, nor automatically sending this generated patient context data to a second application.

First, referring to the Diano reference, column 5, lines 43-52, and Figure 3, the OCR manager 150 processes each image from the input imaging device 15 (not from the PACS 60) and extracts a patient ID code and other general information of the patient which was imaged as a label on the digitized x-ray film. The diacomm manager 130 then uses the patient ID to construct data structures and communicates that information to the PACS 60. In short, the system and method of Diano receives images from an input imaging device 15, retrieves a patient ID code in the OCR manager 150 and relays that patient ID code to the PACS 60, not from the PACS to a second application.

Referring now to Diano, column 6, lines 54-60, once this communication is made between the diacomm manager 130 and the PACS 60, including any extracted ID code from the image from the input imaging device 15, an acknowledgement is sent to the patient ID station 110 of the interface device 30. This communication is a mere acknowledgement of a communication from the diacomm manager 130 to the PACS 60. This communication to the PIDS 110 is not a communication of extracted patient context data, but a mere confirmation that such data was sent to the PACS 60, and not to a second application. In short, the Applicants respectfully submit that the Diano reference, while it communicates patient context data from an imaging device to a PACS, actually teaches away from the system and method of the present application in that the Diano reference extracts data from an image from an input imaging device and sends that image data to the PACS application 60, and not to a second application for the purpose of attaining additional patient information. This teaching away is further evidenced by the fact that the Diano reference includes a RIS application 50 "Figure 1," but does not explain any possible communication between the PACS 60 and the RIS 50, specifically any generation of patient context data from the PACS 60 that is sent to the RIS 50. The Diano reference is simply not capable of extracting any context data from the PACS 60, only from the input imaging device.

Therefore even if the Diano reference were combined with Wong, the combination of these references would not teach nor make obvious the system and method of the present application that includes generating a set of patient context data from the PACS application and automatically sending that data to a RIS application. For at least these reasons, the

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Applicant respectfully submits that the independent claims of the present application are allowable over the teachings of Wong, Diano, and their combination.

Within the Office Action it is stated that Wong fails to clearly teach “the set of patient context data have to directly generate from PACS directly send this context data to the RIS.”

Furthermore, the Applicant respectfully submits that it is not the direct communication of the two systems that the Applicant believes is the novelty of this invention, rather, the ability of the first application to automatically generate a set of context data based on a first request from the first application for image data for a given patient, and subsequently sending that automatically generated context data to the second application so that the second application is prompted to retrieve the patient textual data. The Wong reference does not teach, nor make obvious the capability of making a single request to a first application such that the first application retrieves image data, generates contextual data from the image data, and sends the contextual data to a second application such that the textual data for that patient may be retrieved from the single request.

The independent claim 1 includes a patient data information system, comprising a display unit, a first application configured to display patient images for a patient on the display unit, wherein the first application is configured to retrieve patient image data from a picture archival and communication system (PACS) and to automatically generate a set of patient context data for the patient from the retrieved patient image data, and further wherein the set of patient context data includes patient and user information, a second application configured to retrieve a set of patient textual data from a radiology information system (RIS) and a workstation coupled to the display unit and configured to operate both the first application and the second application that reside on the workstation, the first application configured to send the automatically generated set of patient context data to the second application after the patient image data is retrieved, and the second application configured to receive the set of patient context data and to retrieve and display the set of patient textual data on the display unit in response to the retrieval of the patient image data and generation of the set of patient context data. As discussed above, neither Wong, Diano, nor their combination teach nor make obvious automatically generating and sending a set of patient context data from a

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first application to a second application, and prompt the second application to retrieve the textual data from the first request for image data. Accordingly, claim 1 is allowable over the teachings of Wong, Diano, and their combination.

Claims 4-10 and 13 are dependent upon the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Wong. For at least these reasons, claims 4-10 and 13 are allowable as being dependent upon an allowable base claim.

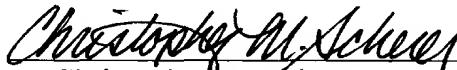
The Applicant respectfully submits that the amended independent claims 14, 23 and 32 are allowable for the same reasons as discussed above regard the amended independent claim 1.

Claims 18-22, 27-31 and 35 are dependent upon the independent claims 14, 23 and 32. As discussed above, the independent claims 14, 23 and 32 are allowable over the teachings of Wong, Diano, and their combination. For at least these reasons, claims 18-22, 27-31 and 35 are allowable as being dependent upon an allowable base claim.

For these reasons Applicant respectfully submits that all the claims are now in condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, they are encouraged to call the undersigned at 414-271-7590 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Christopher M. Scherer
Reg. No. 50,655

100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Phone: 414-271-7590
Facsimile: 414-271-5770